

SENATE BILL 839

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J1

2004 Regular Session  
(4r2944)

**ENROLLED BILL**

-- Education, Health, and Environmental Affairs/Health and Government  
Operations --

Introduced by ~~Senator Middleton~~ **Senators Middleton, Hollinger, Conway,  
Britt, Colburn, Dyson, Greenip, Grosfeld, Harris, Pinsky, Schrader, and  
Stone**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Bed and Breakfast Establishments - Food Service - Regulation**

3 FOR the purpose of exempting certain bed and breakfast establishments from certain  
4 Department of Health and Mental Hygiene and local government regulations  
5 relating to a certain type of kitchen equipment; requiring certain bed and  
6 breakfast establishments to ~~register with the health officer in the county~~ be  
7 licensed by the Department as food establishments; providing that certain bed  
8 and breakfast establishments are subject to certain food safety and  
9 contamination regulations; requiring the health officer in each county where a  
10 certain bed and breakfast establishment is ~~registered~~ licensed to inspect the bed  
11 and breakfast establishment for compliance with certain food safety and  
12 contamination regulations; and generally relating to the regulation of food  
13 service at bed and breakfast establishments.

1 BY adding to  
2 Article - Health - General  
3 Section 21-323.1  
4 Annotated Code of Maryland  
5 (2000 Replacement Volume and 2003 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article - Health - General**

9 21-323.1.

10 (A) IN THIS SECTION, "BED AND BREAKFAST ESTABLISHMENT" MEANS A  
11 LODGING OR ROOMING HOUSE AS DEFINED IN § 9-201 OF THE PUBLIC SAFETY  
12 ARTICLE HAVING ~~EIGHT~~ FIVE EIGHT ROOMS OR LESS FOR RENT.

13 (B) A BED AND BREAKFAST ESTABLISHMENT IS EXEMPT FROM ANY  
14 REGULATION GOVERNING FOOD SERVICE FACILITIES THAT IS ADOPTED BY THE  
15 DEPARTMENT OR A LOCAL GOVERNMENT RELATING TO THE CONSTRUCTION OR  
16 INSTALLATION OF COMMERCIAL GRADE KITCHEN EQUIPMENT IN THE BED AND  
17 BREAKFAST ESTABLISHMENT.

18 (C) EACH BED AND BREAKFAST ESTABLISHMENT THAT INTENDS TO SERVE  
19 HOT MEALS TO RENTERS SHALL BE:

20 (1) REGISTERED WITH THE HEALTH OFFICER FOR THE COUNTY  
21 LICENSED IN ACCORDANCE WITH § 21-305 OF THIS SUBTITLE; AND

22 (2) IS SUBJECT TO STATE AND LOCAL HEALTH REGULATIONS THAT  
23 GOVERN FOOD SAFETY AND CONTAMINATION.

24 (D) IN EACH COUNTY, IN ACCORDANCE WITH § 21-313 OF THIS SUBTITLE, THE  
25 HEALTH OFFICER SHALL INSPECT EACH BED AND BREAKFAST ESTABLISHMENT  
26 THAT INTENDS TO SERVE HOT MEALS TO RENTERS FOR COMPLIANCE WITH FOOD  
27 SAFETY AND CONTAMINATION REGULATIONS IN ACCORDANCE WITH § 21-313 OF  
28 THIS SUBTITLE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2004.

